

NO. 5:04-CR-166-H

V.

Defendant.

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The court clarifies its prior order partially granting appellant's motion for a sentencing reduction by stating that the court fully understood the scope of its authority, including the authority to grant a sentence reduction despite the guideline range being unchanged. The court hereby clarifies that it declined not

to reduce defendant's term of imprisonment as an exercise of discretion, not a misunderstanding of the scope of authority.

This 17th day of April 2020.



Malcolm J. Howard
Senior United States District Judge

At Greenville, NC
#26